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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Patent Application of

GAINER, et al

Atty. Ref.: 4112-7

Serial No. 10/647,132

Group: 1621

Filed: August 25, 2003

Examiner: Deborah D. Carr

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR USES

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January 28, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

As suggested by 37.C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the attached Office Action from the assignee's application Serial No. 11/361,054 and its cited references, which are noted on the attached form PTO/SB/08a. Copies of all the references (with the exception of U.S. Patent 5,811,119) are believed to already be of record in this case. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

Statement -- No item of information contained in this Information Disclosure Statement (with the exception of the information previously cited to the USPTO in this case) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement (with the exception of the

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information previously cited to the USPTO in this case) was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of the statement.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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